



**THE FISHERIES (AUCKLAND AND KERMADEC AREAS
COMMERCIAL FISHING) REGULATIONS 1986,
AMENDMENT NO. 7**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 13th day of September 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to section 89 of the Fisheries Act 1983, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Trawling and Danish seining prohibited within 1 mile of west Auckland coast 4. Trawling and Danish seining prohibited in defined areas 5. Restriction on mesh size of trawl nets 6. Minimum set net mesh size 7. Certain fishing methods prohibited in defined areas 8. Drag netting prohibited in defined areas 9. Restricted drag netting 10. New regulations inserted <ul style="list-style-type: none"> 15A. Set netting prohibited in defined areas | <ul style="list-style-type: none"> 11. Restrictions on fishing in Bay of Islands 12. Targeting of certain fish, aquatic life, and seaweed prohibited unless specially authorised 13. Fish, aquatic life, and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc. 14. Sale of reef fish 15. Taking of scallops 16. Amendment to Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 6 |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 7, and shall be read together with and deemed part of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 30th day of September 1993.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations (as substituted by regulation 2 (1) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5) is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

- “Banded wrasse’ means a fish of the species *Notolabrus fucicola*:
- “Black anglefish’ means a fish of species *Parma alboscapularis*:
- “Blue moki’ means a fish of the species *Latridopsis ciliaris*:
- “Butterfly perch’ means a fish of the species *Caesioperca lepidoptera*:
- “Giant boarfish’ means a fish of the species *Paristiopterus labiosus*:
- “Green wrasse’ means a fish of the species *Notolabrus inscriptus*:
- “Grey mullet’ means a fish of the species *Mugil cephalus*:
- “Hapuku/bass’ means a fish of the species *Polyprion oxygeneios* or *Polyprion moene*:
- “Kelpfish’ means a fish of the species *Chironemus marmoratus* (also known as hiwihiwi):
- “Long-finned boarfish’ means a fish of the species *Zanclistius elevatus*:
- “Marblefish’ means a fish of the species *Aplodactylus arctidens*:
- “Notch-headed marblefish’ means a fish of the species *Aplodactylus etheridgii*:
- “Painted moki’ means a fish of the species *Cheliodactylus ephippium*:
- “Red mullet’ means a fish of the species *Upeneichthys lineatus* (also known as goatfish):
- “Red pigfish’ means a fish of the species *Bodianus vulpinus* = *uninaculatus*:
- “Rock cod’ means a fish of the species *Lotella rhacinus*:
- “Sandager’s wrasse’ means a fish of the species *Coris sandageri*:
- “Scarlet wrasse’ means a fish of the species *Pseudolabrus miles*:
- “School shark’ means a fish of the species *Galeorhinus australis*:
- “Splendid perch’ means a fish of the species *Callanthias australis*:
- “Toadstool groper’ means a fish of the species *Trachypoma macracanthus*.”

(2) Regulation 2 (1) of the principal regulations (as so substituted) is hereby amended by omitting from the definition of the term “Coromandel Scallop Fishery” the words “thence due East to the northernmost point of Great Barrier Island and thence to Cape Rodney”, and substituting the words “176° 28.10’E, and thence due West to the northernmost point of Great Barrier Island (at 36° 2.60’S and 175° 24.10’E) and thence to Cape Rodney (at 36° 16.80’S and 174° 49.30’E)”.

*S.R. 1986/216

Amendment No. 1: S.R. 1986/251
 Amendment No. 2: S.R. 1988/5
 Amendment No. 3: S.R. 1989/291
 Amendment No. 4: S.R. 1991/60
 Amendment No. 5: S.R. 1991/161
 Amendment No. 6: S.R. 1992/210

(3) Regulation 2 (1) of the principal regulations (as so substituted) is hereby amended by omitting from the definition of the term "set net", the words "drift net, trammel net,".

3. Trawling and Danish seining prohibited within 1 mile of west Auckland coast—Regulation 3 of the principal regulations is hereby amended by omitting the words "then by the mean high water mark to Tirikohua Point (at 36° 51.25'S and 174° 26.15'E)", and substituting the words "then by the mean high-water mark to a point on the easternmost extremity of Paratutai Island (at 37° 02.92'S and 174° 30.50'E); then by a straight line to the signal staff on the south head of Manukau Harbour (at 37° 03.17'S and 174° 32.65'E); then by the mean high-water mark to a point north of the Waikato River Mouth (at 37° 21.45'S and 174° 41.51'E); then by a straight line to the south head of the Waikato River mouth (at 37° 21.85'S and 174° 41.70'E); then by the mean high-water mark to Rangitoto Point (at 37° 48.08'S and 174° 50.56'E); then by a straight line to the south head of Raglan Harbour (at 37° 48.33'S and 174° 50.74'E); then by the mean high-water mark to Potahi Point (at 38° 00.50'S and 174° 47.70'E); then by a straight line to Kahua Point (at 38° 02.10'S and 174° 47.00'E); then by the mean high-water mark to Tauratahi Point (at 38° 05.10'S and 174° 46.60'E); then by a straight line to Urawitiki Point (at 38° 05.37'S and 174° 46.22'E); then by the mean high-water mark to Tirua Point (at 38° 23.40'S and 174° 38.00'E)."

4. Trawling and Danish seining prohibited in defined areas—Regulation 4 of the principal regulations is hereby amended by revoking paragraphs (s), (t), (u), (v), (w), and (z), and substituting, respectively, the following paragraphs:

- “(s) *Kawhia Harbour*: The waters of Kawhia Harbour and the adjacent sea lying within a radius of 2 nautical miles from Urawitiki Point (at 38° 05.37'S and 174° 46.22'E);
- “(t) *Aotea Harbour*: The waters of Aotea Harbour and the adjacent sea lying within a radius of 2 nautical miles from Potahi Point (at 38° 00.50'S and 174° 47.70'E);
- “(u) *Raglan Harbour*: The waters of Raglan Harbour and the adjacent sea lying within a radius of 2 nautical miles from Rangitoto Point (at 37° 48.10'S and 174° 50.57'E);
- “(v) *Manukau Harbour*: The waters of Manukau Harbour and the adjacent sea lying within a radius of 2 nautical miles from the Ninepin Rock (at 37° 03.14'S and 174° 30.19'E);
- “(w) *Kaipara Harbour*: The waters of the Kaipara Harbour and the adjacent sea lying within a radius of 2 nautical miles of a baseline commencing at the south-westernmost extremity of the north head of the Kaipara Harbour (at 36° 24'S and 174° 2.60'E), then in a generally south-eastern direction by a straight line to the westernmost extremity of the south head of the Kaipara Harbour (at 36° 28.80'S and 174° 9.40'E);
- “(z) *Hokianga Harbour*: The waters of Hokianga Harbour and the adjacent sea lying within a radius of 2 nautical miles from the south head of the Hokianga Harbour (at 35° 32.12'S and 173° 22.02'E);
- “(za) *Waikato River Mouth*: The waters within 2 nautical miles to the seaward of a baseline commencing at Maioro Gap (at 37° 20.20'S and 174° 40.70'E); then by the mean high-water mark to a point north of the Waikato River Mouth (at 37° 21.40'S and 174° 41.50'E); then by a straight line to the south head of the Waikato River Mouth (at 37° 22.00'S and 174° 41.90'E);

then by the mean high-water mark to a point south of the Waikato River Mouth (at 37° 24.30'S and 174° 42.00'E)."

5. Restriction on mesh size of trawl nets—Regulation 5 of the principal regulations is hereby amended by adding the following subclause: "(4) Nothing in subclause (3) of this regulation shall apply within the waters bounded by a line commencing at Cape Runaway at 37° 32.0'S and 177° 59.4'E, then in a straight line to a point at 37° 43.25'S and 177° 29.25'E which is 13 nautical miles true north of Pehitari Point at 37° 56.25'S and 177° 29.25'E, then in a straight line to a point at 37° 46.6'S and 177° 3.4'E, which is 5.9 nautical miles true north-east of the northernmost point of Motuhora Island (also known as Whale Island), then in a straight line to Motuhaku Island (also known as Schooner Rocks) at 37° 36.3'S and 176° 31.6'E, then in a straight line to the south-westernmost point on Mayor Island at 37° 17.85'S and 176° 13.9'E, then in a straight line to a point on Hongiora Island (also known as Flat Island) at 36° 57.5'S and 176° 3.3'E, then in a straight line to the easternmost point of Red Mercury Island at 36° 37.79'S and 175° 56.95'E, then in a straight line to the easternmost point of Cuvier Island at 36° 26.5'S and 175° 47.1'E, then in a straight line to the easternmost point of Rakitu Island at 36° 7.55'S and 175° 30.8'E, then in a straight line to the Needles Point at 36° 1.7'S and 175° 24.4'E, then in a straight line heading due true north to the edge of the Exclusive Economic Zone, then along the edge of the Exclusive Economic Zone to a point due true north of Cape Runaway, then in a straight line back to Cape Runaway; being waters where the use of a trawl net with a mesh size of less than 125mm in the cod-end is authorised by condition on the fishing permit of the commercial fisherman."

6. Minimum set net mesh size—The principal regulations are hereby amended by inserting, after regulation 5E (as inserted by regulation 4 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 3), the following regulation:

5F. Notwithstanding regulation 21 of the Fisheries (Commercial Fishing) Regulations 1986, the mesh size of any set net used or possessed by any commercial fisherman in the Auckland Fishery Management Area shall not be less than the appropriate size specified in the following table:

<i>Species of Fish</i>				<i>Minimum Set Net Mesh Size (mm)</i>
Blue moki	...	...	...	114
Bluenose	...	...	...	160
Flatfish	...	...	...	114
Hapuku/bass	...	...	...	160
Kahawai	...	...	...	90
Grey mullet	...	...	...	90
Parore	...	...	...	114
Rig	...	...	...	125
School shark	...	...	...	125
Snapper	...	...	...	125
Trevally	...	...	...	125"

7. Certain fishing methods prohibited in defined areas—The principal regulations are hereby amended by inserting, after regulation 10, the following regulation:

“10A. (1) No commercial fisherman shall use for taking fish a box or teichi net, purse seine net, Danish seine net, trawl net, or lampara net, or set nets of a total length exceeding 1000 metres, in the following waters:

- “(a) *Kawhia Harbour*: The waters of Kawhia Harbour lying inside a straight line drawn from the northernmost extremity of Urawitiki Point (at 38° 05.37'S and 174° 46.22'E) to Tauratahi Point (at 38° 05.19'S and 174° 46.90'E);
- “(b) *Aotea Harbour*: The waters of Aotea Harbour lying inside a straight line drawn from Potahi Point (at 38° 00.50'S and 174° 47.70'E) to the westernmost extremity of Kahua Point (at 38° 02.20'S and 174° 47.0'E);
- “(c) *Raglan Harbour*: The waters of Raglan Harbour lying inside a straight line drawn from Rangitoto Point (at 37° 48.08'S and 174° 50.56'E) and to the southern point (at 37° 48.33'S and 174° 50.74'E);
- “(d) *Waikato River Mouth*: The waters of the Waikato River Mouth lying inside a straight line drawn from the northern point (at 37° 21.45'S and 174° 41.51'E) to the southern point (at 37° 21.85'S and 174° 41.70'E);
- “(e) *Manukau Harbour*: The waters of the Manukau Harbour lying inside a straight line drawn from the signal staff on the south head (at 37° 03.17'S and 174° 32.65'E) to the easternmost extremity of Paratutai Island (at 37° 02.92'S and 174° 30.50'E);
- “(f) *Kaipara Harbour*: The waters of Kaipara Harbour lying inside a straight line drawn from the southernmost extremity of North Head (at 36° 23.80'S and 174° 03.0'E) to Pukitu on the south head of the harbour (at 36° 30.0'S and 174° 12.65'E);
- “(g) *Hokianga Harbour*: The waters of Hokianga Harbour lying inside a straight line drawn from the north head of the harbour (at 35° 31.50'S and 173° 21.45'E) to the south head of the Harbour (at 35° 32.20'S and 173° 22.0'E);
- “(h) *Whangape Harbour*: The waters of Whangape Harbour lying inside a straight line drawn from the north head of the harbour (at 35° 22.75'S and 173° 13.0'E) to the south head of the Harbour (at 35° 23.10'S and 173° 13.25'E);
- “(i) *Herekino Harbour*: The waters of Herekino Harbour lying inside a straight line drawn from the north head of the harbour (at 35° 17.70'S and 173° 09.90'E) to the south head of the Harbour (at 35° 17.95'S and 173° 09.70'E);
- “(j) *Parengarenga Harbour*: The waters of Parengarenga Harbour lying inside a straight line drawn from the north-easternmost extremity of the Kokota Peninsula (at 34° 32.0'S and 172° 59.40'E) in a north-easterly direction to the easternmost extremity of Ohao Point (otherwise known as Coal Point) (at 34° 30.64'S and 173° 00.47'E);
- “(k) *Houhora Harbour*: The waters of Houhora Harbour lying inside a straight line drawn from Perpendicular Point (at 34° 49.66'S and 173° 10.0'E) to the southern headland (at 34° 49.66'S and 173° 09.29'E);
- “(l) *Rangaunu Harbour*: The waters of Rangaunu Harbour lying inside a straight line drawn from Blackney Point (at 34° 51.81'S and 173° 17.17'E) to Otiara Point (at 34° 53.67'S and 173° 16.79'E);
- “(m) *Mangonui Harbour*: The waters of Mangonui Harbour lying inside a straight line drawn from Rangitoto Point (at 34° 58.81'S and 173° 31.68'E) and to Rangikapiti Head (at 34° 58.93'S and 173° 31.49'E);

- “(n) *Whangaroa Harbour*: The waters of Whangaroa Harbour lying inside a straight line drawn from North Head (at 35° 00.12’S and 173° 45.42’E) and to South Head (at 35° 00.38’S and 173° 46.05’E);
- “(o) *Bay of Islands*: The waters of the Bay of Islands lying inside straight lines drawn between Tapeka Point (at 35° 14.63’S and 174° 07.18’E) to the northern point of Motuarohia (at 35° 13.82’S and 174° 09.42’E), then to Red Head (at 35° 11.90’S and 174° 12.44’E), then by mean high water mark along the northern side of Okahu Island to the eastern extremity of Okahu Island (at 35° 11.98’S and 174° 12.85’E), then by a straight line to Kohangaatara Point (at 35° 13.18’S and 174° 15.90’E);
- “(p) *Port Russell*: The waters of Port Russell lying inside a straight line drawn between the western point (at 35° 15.56’S and 174° 04.90’E) and the eastern point (at 35° 15.17’S and 174° 06.69’E);
- “(q) *Whangaruru Harbour*: The waters of Whangaruru Harbour lying inside a line commencing at the easternmost extremity of Cape Home (at 35° 22.66’S and 174° 22.65’E) on the northern side of the entrance of the harbour; then in a straight line in a south-westerly direction to the easternmost extremity of Henry Island (at 35° 23.23’S and 174° 22.39’E); then through the easternmost extremity of Nops Island (at 35° 24.40’S and 174° 21.80’E); then in a straight line to the shore on the southern side of the harbour (at 35° 24.40’S and 174° 21.20’E);
- “(r) *Tutukaka Harbour*: The waters of Tutukaka Harbour lying inside a straight line drawn from the southern extremity of Tutukaka Head (South Gable) (at 35° 36.92’S and 174° 32.65’E) to the southern side of the entrance (at 35° 37.18’S and 174° 32.46’E) of the harbour;
- “(s) *Whangarei Harbour*: The waters of Whangarei Harbour lying inside a straight line drawn from the south-western extremity of Busby Head (at 35° 51.83’S and 174° 31.82’E) to the northern chimney of the Marsden Point Power Station (at 35° 52.50’S and 174° 28.10’E);
- “(t) *Mangawhai Harbour*: The waters of Mangawhai Harbour lying inside a straight line drawn from the northern point (at 36° 05.09’S and 174° 35.90’E) to the southern point (at 36° 05.22’S and 174° 35.95’E);
- “(u) *Whangateau Harbour*: The waters of Whangateau Harbour lying inside a straight line drawn from the westernmost extremity of Ti Point (at 36° 19.30’S and 174° 47.06’E) to Omaha Spit (at 36° 19.36’S and 174° 46.70’E);
- “(v) *Bon Accord Harbour*: The waters of Bon Accord Harbour lying inside a straight line drawn from Accord Point (at 36° 25.20’S and 174° 49.13’E) to Momoma Point (at 36° 25.80’S and 174° 48.94’E);
- “(w) *Mahurangi Harbour*: The waters of Mahurangi Harbour lying inside a straight line drawn from the northern point (at 36° 30.37’S and 174° 44.18’E) to the southern point known as Cudlip Point (at 36° 31.06’S and 174° 43.80’E);
- “(x) *Port Fitzroy*: The waters of Port Fitzroy and Port Abercrombie lying inside a line drawn from Wellington Head (at 36° 09.78’S and 175° 16.91’E) to the north-westernmost point of Okokewa Island (at 36° 08.60’S and 175° 18.42’E); then by a straight line to the nearest point of the mainland of Great Barrier Island (at

- 36° 08.50'S and 175° 18.55'E); then to the north-easternmost point of Motuhaku Island (at 36° 09.90'S and 175° 17.61'E) to the north-easternmost point of Nelson Island (at 36° 10.11'S and 175° 18.07'E); then from the south-easternmost point of Nelson Island to the northwesternmost point of Kaikoura Island (at 36° 10.14'S and 175° 18.19'E) and lying inside a straight line drawn across Man 'O' War Passage at its narrowest point (from 36° 11.35'S and 175° 19.51'E to 36° 11.42'S and 175° 19.51'E):
- “(y) *Whangaparapara Harbour*: The waters of Whangaparapara Harbour lying inside a straight line drawn from Lighthouse Point (at 36° 15.26'S and 175° 23.62'E) and to Beacon Point (at 36° 15.74'S and 175° 23.87'E):
- “(z) *Tryphena Harbour*: The waters of Tryphena Harbour on Great Barrier Island lying inside a straight line drawn from Tryphena Point (at 36° 19.25'S and 175° 28.75'E) and passing through Bird Islet (at 36° 18.80'S and 175° 28.25'E) and passing through to the nearest point of the mainland of Great Barrier Island:
- “(za) *Auckland Harbour*: The waters of Auckland Harbour lying inside a straight line drawn from Cook Point (at 36° 49.88'S and 174° 48.72'E) to Bastion Point (at 36° 50.73'S and 174° 49.44'E):
- “(zb) *Tamaki Estuary*: The waters of the Tamaki Estuary lying inside a straight line drawn from West Tamaki Head (at 36° 50.90'S and 174° 52.51'E) and to Musick Point (at 36° 50.90'S and 174° 54.10'E):
- “(zc) *Manaia Harbour*: The waters of Manaia Harbour lying inside a straight line drawn from the northern point (at 36° 50.78'S and 175° 26.0'E) and to the southern point (at 36° 51.10'S and 175° 25.15'E):
- “(zd) *Te Kouma Harbour*: The waters of Te Kouma Harbour lying inside a straight line drawn from the northern point (at 36° 49.65'S and 175° 25.45'E) to the southern point (at 36° 49.81'S and 175° 25.70'E):
- “(ze) *Coromandel Harbour*: The waters of Coromandel Harbour lying inside a straight line drawn from the northern point of Whanganui Island (at 36° 46.40'S and 175° 27.40'E) and the mainland (at 36° 46.33'S and 175° 27.46'E) and lying inside a straight line drawn from the western point of Whanganui Island (at 36° 47.90'S and 175° 25.85'E) to Esk Point (at 36° 48.57'S and 175° 26.10'E):
- “(zf) *Whangapoua Harbour*: The waters of Whangapoua Harbour lying inside a straight line drawn from the north-western point (at 36° 43.45'S and 175° 37.60'E) and to Owaro Spit (at 36° 43.60'S and 175° 37.70'E):
- “(zg) *Whitianga Harbour*: The waters of Whitianga Harbour lying inside a straight line drawn from the eastern point (at 36° 49.98'S and 175° 42.63'E) and to the western point (at 36° 50.45'S and 175° 42.49'E):
- “(zh) *Tairua Harbour*: The waters of Tairua Harbour lying inside a straight line drawn from Te Huruhuru Point (at 37° 00.41'S and 175° 51.88'E) to Royal Billy Point (at 37° 00.48'S and 175° 51.70'E):
- “(zi) *Whangamata Harbour*: The waters of Whangamata Harbour lying inside a straight line drawn from Te Karaka Point (at 37° 12.29'S and 175° 52.96'E) to the western point (at 37° 12.18'S and 175° 52.70'E):
- “(zj) *Tauranga Harbour*: The waters of Tauranga Harbour lying inside a straight line drawn from the easternmost point of Matakana Island (at 37° 38.23'S and 176° 09.71'E) to the southernmost point of Mount Maunganui (at 37° 38.27'S and 176° 10.14'E)

and those waters lying inside a straight line drawn from Papatu Point (at 37° 28.25'S and 175° 59.15'E) to the northernmost point of Matakana Island (at 37° 28.46'S and 175° 59.12'E);

“(zk) *Whakatane Harbour*: The waters of Whakatane Harbour lying inside a straight line drawn from the eastern point (at 37° 56.40'S and 177° 00.80'E) to the western point (at 37° 56.70'S and 177° 59.70'E);

“(zl) *Ohiwa Harbour*: The waters of the Ohiwa Harbour lying inside a straight line drawn from the eastern point (at 37° 59.50'S and 177° 09.50'E) to the western point (at 37° 59.50'S and 177° 08.40'E).

“(2) No commercial fisherman shall set any net within 60 metres of any other net in the waters described in subclause (1) of this regulation.”

8. Drag netting prohibited in defined areas—Regulation 11 (g) (iii) of the principal regulations is hereby amended by omitting the word “except”.

9. Restricted drag netting—The principal regulations are hereby amended by revoking regulation 12, and substituting the following regulation:

“12. (1) *Snake Bank*: Notwithstanding regulation 11 (a) of these regulations, but subject to subclause (2) of this regulation, any commercial fisherman may use a drag net that has no pocket or cod end in the waters surrounding Snake Bank in the Whangarei Harbour bounded by a line commencing at Marsden Point (at 35° 50.45'S and 174° 29.96'E); then along the mean high water mark to One Tree Point (at 35° 49.20'S and 174° 27.23'E), then along a straight line to Manganese Point (at 35° 47.78'S and 174° 26.74'E), then along a straight line to Reserve Point (at 35° 47.68'S and 174° 27.44'E), then along the mean high water mark to a point approximately one-half nautical mile due south of Munro Bay (at 35° 47.71'S and 174° 28.88'E), then along a straight line to Darch Point (at 35° 49.33'S and 174° 29.56'E), then along the mean high water mark to Lort Point (at 35° 49.97'S and 174° 30.14'E), then along a straight line to the point of commencement at Marsden Point.

“(2) *Whangarei Harbour and Snake Bank*: No commercial fisherman shall use a dragnet between the hours of sunset and sunrise during the period commencing on the 1st day of December in any year and finishing on the 31st day of March in the following year (both days inclusive) in the waters of the outer Whangarei Harbour and surrounding Snake Bank bounded by a line commencing at Home Point (at 35° 51.12'S and 174° 31.51'E), then along a straight line to Marsden Point (at 35° 50.45'S and 174° 29.96'E), then along the mean high water mark to One Tree Point (at 35° 49.20'S and 174° 27.23'E), then along a straight line to Manganese Point (at 35° 47.78'S and 174° 26.74'E), then along a straight line to Reserve Point (at 35° 47.68'S and 174° 27.44'E), then along the mean high water mark to a point approximately one-half nautical mile due south of Munro Bay (at 35° 47.71'S and 174° 28.88'E), then along a straight line to Darch Point (at 35° 49.33'S and 174° 29.56'E), then along the mean high water mark to the point of commencement at Home Point.”

10. New regulations inserted—The principal regulations are hereby amended by inserting, after regulation 15, the following regulations:

“15A. **Set netting prohibited in defined areas**—No commercial fisherman shall use any set net within the following waters:

“(a) *Three Kings Islands*: The waters lying inside a line every point of which is 1 nautical mile from the mean high water mark on all the islands, islets, and rocks of the Three Kings Islands group:

“(b) *Bay of Islands*:

“(i) *Cape Wīwī*: The waters lying within a radius of 1 nautical mile from the easternmost extremity of Cape Wīwī (at 35° 09.42’ S and 174° 07.70’ E):

“(ii) *Whale Rock*: The waters lying inside a line every point of which is 1 nautical mile from a position at 30° 11.51’ S and 174° 12.0’ E on Whale Rock:

“(iii) *Twins Rock*: The waters lying inside a line every point of which is 1 nautical mile from the mean high water mark on the Twins Rock:

“(c) *Hen and Chicken Islands*:

“(i) *Taranga (Hen) Island*: The waters on the northern side of Taranga Island (otherwise known as Hen Island) lying inside a line commencing at the northernmost extremity of Taranga Island (at 35° 57.28’ S and 174° 41.89’ E); then in a due north direction for a distance of 0.5 nautical mile to the point at 35° 56.78’ S and 174° 41.89’ E; then in a generally easterly direction by a line every point of which is 0.5 nautical mile from the mean high water mark to the point at 35° 57.68’ S and 174° 44.75’ E; then by a straight line due south to the easternmost extremity of Taranga Island (at 35° 58.18’ S and 174° 44.75’ E):

“(ii) *Marotere (Chickens) Islands*: The waters on the northern side of the Marotere Islands (otherwise known as the Chickens Islands) lying inside a line commencing at the northernmost extremity of Lady Alice Island (at 35° 53.29’ S and 174° 43.10’ E); then in a due north direction for a distance of 0.5 nautical mile to the point at 35° 52.79’ S and 174° 43.10’ E; then proceeding in a generally easterly direction by a line every point of which is 0.5 nautical mile from a baseline which commences at the northernmost extremity of Lady Alice Island (at 35° 53.29’ S and 174° 43.10’ E); then by the mean high water mark to the easternmost extremity of Lady Alice Island (at 35° 53.57’ S and 174° 44.32’ E); then in a straight line in an easterly direction to the westernmost extremity of Whatupuke Island (at 35° 53.61’ S and 174° 44.71’ E); then by the mean high water mark to the easternmost extremity of Whatupuke Island (at 35° 53.47’ S and 174° 45.70’ E); then in a straight line in an easterly direction to the westernmost extremity of Coppermine Island (at 35° 53.50’ S and 174° 45.82’ E); then by the mean high water mark to the termination of the baseline at the easternmost extremity of Coppermine Island (at 35° 53.31’ S and 174° 46.99’ E) to the point at 35° 52.81’ S and 174° 46.99’ E; then by a straight line due south to the easternmost extremity of Coppermine Island (at 35° 53.31’ S and 174° 46.99’ E):

“(d) *Mokohināu Islands*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on all the islands, islets, and rocks of the Mokohināu Islands group:

“(e) *Simpson Rock*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Simpson Rock, being the islet (rock) located approximately 4 nautical miles south of the Mokohināu Islands:

“(f) *Little Barrier Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Little Barrier Island:

“(g) *Great Barrier Island*:

“(i) *Miners Head—Needles Point*: The waters at the northern end of Great Barrier Island lying inside a line commencing at the northernmost extremity of Miners Head (at 36° 03.98’S and 175° 20.80’E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36° 03.48’S and 175° 20.80’E; then proceeding in a generally north-easterly direction by a line every point of which is one-half nautical mile from a baseline which commences at the northernmost extremity of Miners Head (at 36° 03.98’S and 175° 20.80’E); then by the mean high water mark to the northernmost extremity of Great Barrier Island (at 36° 03.12’S and 175° 23.88’E); then in a straight line in a north-easterly direction to the southernmost extremity of the unnamed island (at 36° 03.12’S and 175° 24.00’E); then by the mean high water mark to the northernmost extremity of the unnamed island (at 36° 02.56’S and 175° 24.11’E); then in a straight line in a northerly direction to the southernmost extremity of Aiguilles Island (at 36° 02.51’S and 175° 24.24’E); then by the mean high water mark to the northernmost extremity of Aiguilles Island (at 36° 01.91’S and 175° 24.50’E); then in a straight line in a northerly direction to the southernmost extremity of Needles Point (at 36° 01.70’S and 175° 24.40’E); then by the mean high water mark to the termination of the baseline at the northernmost extremity of Needles Point (at 36° 01.63’S and 175° 24.40’E) to the point at 36° 01.13’S and 175° 24.40’E; then by a straight line due south to the northernmost extremity of Needles Point (at 36° 01.63’S and 175° 24.40’E):

“(ii) *Rakitu (Arid) Island*: The waters on the eastern side of Rakitu Island (otherwise known as Arid Island) lying inside a line commencing at the northernmost extremity of Hautapu Point (at 36° 07.06’S and 175° 29.76’E); then in a due north direction for a distance of 0.5 nautical miles to the point at 36° 06.56’S and 175° 29.76’E; then by a line every point of which is 0.5 nautical miles from the mean high water mark on the eastern side of Rakitu Island to the point at 36° 08.89’S and 175° 29.49’E; then by a straight line due north to the southernmost extremity of Te Akau Point (at 36° 08.39’S and 175° 29.49’E):

“(iii) *Cape Barrier*: The waters at the southern end of Great Barrier Island lying inside a line commencing at the westernmost extremity of the south head of Tryphena Harbour (at 36° 19.48’S and 175° 28.44’E); then in a due south direction for a distance of 0.5 nautical miles to the point at 36° 20.98’S and 175° 28.44’E); then in a generally easterly direction by a line every point of which is one-half nautical mile from the mean high water mark to the point at 36° 20.37’S and 175° 32.75’E); then by a straight line due west to the southeasternmost extremity of Cape Barrier (at 36° 20.37’S and 175° 32.25’E):

“(h) *Channel Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on

Channel Island, being the island located approximately 3 nautical miles north of Cape Colville:

“(i) *Cape Colville*: The waters at the northern end of Cape Colville lying inside a line commencing at the northernmost extremity of Kaiiti Point (at 36° 28.92'S and 175° 19.80'E); then in a straight line in a northerly direction to the southernmost extremity of Channel Island (at 36° 25.44'S and 175° 19.75'E); then in a straight line in a south-easterly direction to the northernmost extremity on Square Top Island (at 36° 27.76'S and 175° 24.00'E); then by the mean high water mark to the easternmost extremity of Square Top Island (at 36° 27.79'S and 175° 24.14'E); then in a straight line in a south-easterly direction to the point of intersection with the shore to the south-west of Sugar Loaf Rocks at (36° 28.36'S and 175° 24.69'E):

“(j) *Mercury Islands*:

“(i) *Great Mercury Island*: The waters on the eastern and southern sides of Great Mercury Island lying inside a line commencing at the northernmost extremity of Arimawhai Point (at 36° 34.81'S and 175° 47.23'E); then in a north-east direction for a distance of one-half nautical mile to the point at 36° 34.45'S and 175° 47.66'E; then by a line every point of which is one-half nautical mile from the mean high water mark on the eastern and southern sides of Great Mercury Island to the point at 36° 38.86'S and 175° 46.58'E); then by a straight line due north to the southernmost extremity of Ahikopua Point (at 36° 38.36'S and 175° 46.58'E):

“(ii) *Korapuki Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Korapuki Island:

“(iii) *Green Island*: The waters lying inside a line every point of which is one-half nautical mile from the mean high water mark on Green Island:

“(iv) *Middle Island*: The waters on the eastern side of Middle Island lying inside a line commencing at the northernmost extremity of Middle Island (at 36° 38.19'S and 175° 51.57'E); then in a north-east direction for a distance of 0.25 nautical mile to the point at 36° 38.00'S and 175° 51.80'E; then by a line every point of which is 0.25 nautical mile from the mean high water mark on the eastern side of Middle Island to the point at 36° 38.78'S and 175° 51.66'E; then by a straight line due north to the easternmost extremity of Middle Island (at 36° 38.52'S and 175° 51.66'E); then in a due south direction for a distance of one-half nautical mile to the point at 36° 39.06'S and 175° 51.66'E; then by a line every point of which is one-half nautical mile from the mean high water mark on the western side of Middle Island to the point at 36° 37.82'S and 175° 52.03'E; then by a straight line in a south-west direction to the northernmost extremity of Middle Island (at 36° 38.19'S and 175° 51.57'E):

“(v) *Stanley Island*: The waters lying inside a line commencing at the westernmost extremity of Stanley Island (at 36° 38.22'S and 175° 52.79'E); then in a north-west direction for a distance of one-half nautical mile to the point at 36° 37.85'S and 175° 52.34'E; then by a line every point of which is one-half nautical

mile from the mean high water mark on the northern and eastern sides of Stanley Island to the point at 36° 39.54'S and 175° 53.35'E; then by a straight line due north to the southernmost extremity of Stanley Island (at 36° 39.04'S and 175° 53.35'E); then in a due south direction for a distance of one-quarter nautical mile to the point at 36° 39.29'S and 175° 53.35'E; then by a line every point of which is one-quarter nautical mile from the mean high water mark on the south-western side of Stanley Island to the point at 36° 38.05'S and 175° 52.55'E; then by a straight line in a south-east direction to the westernmost extremity of Stanley Island (at 36° 38.22'S and 175° 52.79'E):

“(vi) *Red Mercury Island*: The waters on the eastern side of Red Mercury Island lying inside a line commencing at the northernmost extremity of Red Mercury Island (at 36° 37.06'S and 175° 56.16'E); then in a north-east direction for a distance of one-half nautical mile to the point at 36° 36.72'S and 175° 56.60'E; then in a generally easterly direction by a line every point of which is one-half nautical mile from the mean high water mark to the point at 36° 38.37'S and 175° 56.83'E; then by a straight line due north to the south-easternmost extremity of Red Mercury Island (at 36° 37.87'S and 175° 56.83'E);

“(k) *Tamaki River and Panmure Basin*: The waters of the Tamaki River and Panmure Basin lying inside a straight line from the easternmost extremity of Sandy Point (at 36° 52.41'S and 174° 53.44'E) in a straight line in a south-easterly direction to the point of intersection with the shore to the north of the Half Moon Bay marina at (36° 52.76'S and 174° 54.09'E):

“(l) *Northwest coast*:

“(i) *Cape Reinga—Scott Point*: The waters lying within 1 nautical mile from the mean high water mark of the shore that extends from the northernmost extremity of Cape Reinga (at 34° 25.40'S and 172° 40.70'E) to the southernmost extremity of Scott Point (at 34° 31.90'S and 172° 43.20'E):

“(ii) *Tauroa Point (Reef Point)—Whangape Harbour*: The waters lying within one-half nautical mile from the mean high water mark of the shore that extends from the easternmost extremity of Tauroa Point (otherwise known as Reef Point) (at 35° 10.15'S and 173° 05.20'E) to the north head of Herekino Harbour (at 35° 17.70'S and 173° 09.90'E); then by a straight line in a southerly direction to the south head of Herekino Harbour (at 35° 17.95'S and 173° 09.80'E); then by the mean high water mark to the north head of Whangape Harbour (at 35° 22.70'S and 173° 13.10'E):

“(iii) *Muriwai Beach—Karekare Beach*: The waters lying within one-quarter nautical mile from the mean high water mark of the shore that extends from the southernmost extremity of Muriwai Beach (at 36° 50.40'S and 174° 25.75'E) to the westernmost extremity of Karekau Point (at 36° 59.68'S and 174° 28.41'E) being the point at the southern end of Karekare Beach.

“15b. **Length of set net**—(1) Notwithstanding regulation 42 (1) of the Fisheries (Commercial Fishing) Regulations 1986, the Director-General may, in writing, authorise any commercial fisherman to use in the waters described in subclause (2) of this regulation any set net or combination of set nets, whether attached together or otherwise, having a total length that does not exceed 2000 metres, where all of the upper edge of each of the set nets is not more than 2 metres below the surface of the water.

“(2) The waters referred to in subclause (1) are all those waters enclosed by a line commencing at the mean high water mark at Whakatiwai Point (at 37° 05.50'S and 175° 18.30'E), then proceeding along a straight line to the southern side of the Tapu River mouth (at 36° 59.10'S and 175° 30.0'E), then proceeding in a generally southerly direction along the line of mean high water mark to Rocky Point (at 37° 06.30'S and 175° 30.90'E), then proceeding along a straight line to the western side of the Piako River mouth (at 37° 11.80'S and 175° 29.90'E), and then proceeding in a generally westerly and north-westerly direction along the line of the mean high water mark to the point of commencement.

“(3) This regulation shall expire with the close of the 30th day of September 1998, and no authorisation issued under it shall have effect after that date.”

11. Restrictions on fishing in Bay of Islands—The principal regulations are hereby amended by inserting, after regulation 19, the following regulation:

“19A. (1) No commercial fisherman shall use any net in the following waters:

“(a) *Ninepin*: The waters lying inside a line, every point of which is 1 nautical mile from the mean high water mark of Ninepin (at 35° 9.25'S and 174° 8.75'E):

“(b) *Cape Brett*: The waters lying inside a line, every point of which is 1 nautical mile from the northernmost point of Cape Brett (at 35° 10.45'S and 174° 20.05'E):

“(c) *Bird Rock*: The waters lying inside a line, every point of which is 1 nautical mile from the mean high water mark of Bird Rock (at 35° 9.92'S and 174° 18.35'E):

“(2) No commercial fisherman shall take fish from the waters of the Bay of Islands inside a line drawn from Tapeka Point (at 35° 14.63'S and 174° 07.18'E) then to the north-western extremity of Motuarahia (Robertson) Island (35° 13.82'S and 174° 09.33'E); then to the north-western extremity of the outermost unnamed islet (35° 13.13'S and 174° 10.72'E) immediately to the north-west of Moturua Island; then to the north-western extremity of Okahu Island (Red Head) (35° 11.95'S and 174° 12.38'E); then by mean high water mark along the northern side of Okahu Island to the eastern extremity of Okahu Island (35° 11.98'S and 174° 12.85'E); then by straight line to the northern extremity of Kohangaatara Point (35° 13.15'S and 174° 15.83'E) on the eastern side of the Albert Channel, at any time between the 1st day of October in any year and the 30th day of April in the following year (both days inclusive).

“(3) Notwithstanding subclause (2) of this regulation, a commercial fisherman may take rock lobster from the waters described in that subclause, by the method of potting, if that commercial fisherman holds a current permit authorising the commercial fisherman to take rock lobster from those waters by that method.”

12. Targeting of certain fish, aquatic life, and seaweed prohibited, unless specially authorised—Regulation 20c of the principal regulations (as substituted by regulation 11 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5) is hereby amended by inserting in Part B of the table to subclause (5), in their appropriate alphabetical order, the following species:

“Banded wrasse
“Black angelfish

“Butterfly perch

“Giant boarfish	“Red mullet
“Green wrasse	“Red pigfish
“Kelpfish	“Rock cod
“Long-finned boarfish	“Sandager’s wrasse
“Marblefish	“Scarlet wrasse
“Notch-headed marblefish	“Splendid perch
“Painted moki	“Toadstool groper”.

13. Fish, aquatic life, and seaweed that may be taken subject to competitive or individual quotas, method restrictions, etc.—

(1) Regulation 20D of the principal regulations (as substituted by regulation 11 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5) is hereby amended by omitting the words “any regulations or”, and substituting the words “to subclause (2) of this regulation and any other regulation and any”.

(2) Regulation 20D of the principal regulations (as so substituted) is hereby amended by adding, as subclause (2), the following subclause:

“(2) Subject to the Act and any regulations made under the Act, a commercial fisherman may take any fish, aquatic life, or seaweed specified in the table from the waters of quota management area 1 or quota management area 9 or be in possession of any such fish, aquatic life, or seaweed if the fish, aquatic life, or seaweed is taken by the commercial fisherman as an inevitable consequence of the lawful taking of any other species or class of fish, aquatic life, or seaweed under the authority of a current fishing permit held by that commercial fisherman.”

14. Sale of reef fish—The principal regulations are hereby amended by inserting, after regulation 20D (as substituted by regulation 11 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 5), the following regulation:

“20E. No person shall sell or possess for sale any species of fish taken from the Auckland Fishery Management Area that is specified in the following table:

“Banded wrasse	Red moki
“Black angelfish	Red mullet (goatfish)
“Butterfly perch	Red pigfish
“Giant boarfish	Rock cod
“Green wrasse	Sandager’s wrasse
“Kelpfish (hiwihiwi)	Scarlet wrasse
“Long-finned boarfish	Silver drummer
“Marblefish	Splendid perch
“Notch-headed marblefish	Toadstool groper”.
“Painted moki	

15. Taking of scallops—(1) Regulation 22(1) of the principal regulations (as substituted by regulation 7 of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment

No. 3) is hereby amended by revoking paragraph (p), and substituting the following paragraph:

“(p) *Whangarei Harbour*: The waters of Whangarei Harbour lying inside a straight line drawn from the southern westernmost extremity of Peach Cove (at 35° 51.75'S and 174° 33.40'E) to the southernmost extremity of Busby Head (at 35° 51.80'S and 174° 31.90'E) to the northern chimney of the Marsden Power Station (at 35° 52.50'S and 174° 28.10'E):”.

(2) Regulation 22 (1) (y) of the principal regulations (as so substituted) is hereby amended by omitting the expression “Deadmans Point (at 36° 51.20'S and 175° 24.60'E)”, and substituting the expression “Deadmans Point (at 36° 51.40'S and 175° 24.40'E)”.

16. Amendment to Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 6— Regulation 3 (2) of the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986, Amendment No. 6 is hereby amended by omitting the word “notwithstanding”, and substituting the word “Notwithstanding”.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 30 September 1993, amend the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986.

The principal changes are as follows:

- (a) The specified areas where trawling and Danish seining are prohibited are extended (*regulations 3 and 4*):
- (b) Trawl nets having meshes less than 125mm in the cod-end are permitted in certain waters in the Bay of Plenty if such use is authorised by a fishing permit (*regulation 5*):
- (c) Minimum net mesh sizes are specified for certain areas and species (*regulation 6*):
- (d) The use of box or teichi nets, purse seine nets, Danish seine nets, trawl nets, and lampara nets, and set nets exceeding 1000 metres, is prohibited in certain waters (*regulation 7*):
- (e) Set netting is prohibited in certain areas (*regulation 10*):
- (f) Restrictions are imposed on fishing in the Bay of Islands (*regulation 11*):
- (g) Certain fish may be taken as bycatch in quota management areas 1 and 9 (*regulation 13*):
- (h) The possession or sale of certain reef fish is prohibited (*regulation 14*).

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 16 September 1993.

These regulations are administered in the Ministry of Agriculture and Fisheries.